

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Stuart B. Levy et al. CONF. NO. 8952
SERIAL NUMBER : 10/692,764 EXAMINER : Kimberly A. Makar
FILING DATE : October 24, 2003 ART UNIT : 1636
FOR : METHODS OF USING SUBSTITUTED TETRACYCLINE COMPOUNDS TO
MODULATE RNA

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

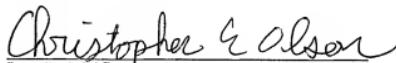
NOTICE OF APPEAL

Pursuant to 37 C.F.R. §1.191, Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Examiner's March 4, 2008 Final Office Action in the above-identified application. With this submission, the fee of \$510.00, as required under 37 CFR 41.20 (b)(1) is submitted.

Applicants have concurrently filed a petition and fee for a three-month extension of time. With the extension, this Notice of Appeal is due on or before September 4, 2008.

The Commissioner is authorized to charge any additional fees that may be due, or credit any overpayment to Deposit Account No. 50-0311, Reference No. 16534-539001US. The undersigned is authorized to act on behalf of the Applicant under 37 C.F.R. §1.34.

Respectfully submitted,


Ivor R. Elrifji, Reg. No. 39,529
Christopher E. Olson, Reg. No. 55,510
Attorney/Agent for Applicant
c/o MINTZ, LEVIN
Tel: (617) 542-6000
Fax: (617) 542-2241
Customer No.: 30623

Dated: September 4, 2008